

# **EXHIBIT 8**

**Redacted Version**



1 UNITED STATES DEPARTMENT OF JUSTICE  
2 ANTITRUST DIVISION, WASHINGTON, D.C.

3 PURSUANT TO CIVIL INVESTIGATION DEMAND NO. 30762

4  
5 "HIGHLY CONFIDENTIAL"

6  
7 30(b)(6) DEPOSITION OF

8 [REDACTED]  
9 ON BEHALF OF ALPHABET, INC.

10 FEBRUARY 28, 2022

11  
12 ORAL VIDEOTAPED DEPOSITION OF [REDACTED],

13 produced as a witness at the instance of the United  
14 States Department of Justice and duly sworn, was taken  
15 in the above-styled and numbered cause on the 28th day  
16 of February, 2022, from 8:36 a.m. to 5:59 p.m. PST,  
17 before Melinda Barre, Certified Shorthand Reporter in  
18 and for the State of Texas, reported by computerized  
19 stenotype machine, all parties appearing remotely via  
20 web videoconference, pursuant to the rules of procedure  
21 and the provisions stated on the record or attached  
22 hereto.

23

24

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APPEARANCES  
(ALL APPEARED VIA ZOOM VIDEO CONFERENCE.)

FOR GOOGLE:

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FOR U.S. DEPARTMENT OF JUSTICE ANTITRUST DIVISION:

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Mr. Arshia Najafi  
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Washington, D.C. 20001  
  
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ALSO PRESENT: Ryan LaFond, Videographer;  
Mara Boundy; Seumas Macneil;  
Alex Bergersen; Daniel Bitton

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1 THE VIDEOGRAPHER: Good morning. We are  
2 now on the record. Today's date is February 28th, 2022.  
3 The time is 8:36 a.m. Pacific Time. This is the video  
4 deposition of the 30(b)(6) for Alphabet, Inc., [REDACTED]  
[REDACTED]. This is in the Google matter, Case  
6 No. 60-516110-0009.

7 This deposition is taking place via web  
8 video conference with all participants attending  
9 remotely. My name is Ryan LaFond. I am videographer.  
10 Our court reporter today is Melinda Barre. We represent  
11 Lexitas.

12 Would counsel please identify yourself,  
13 state whom you represent beginning with the questioning  
14 attorney.

15 MR. NAKAMURA: Good morning. This is  
16 Brent Nakamura from the U.S. Department of Justice  
17 Antitrust Division. I'm a trial attorney with the  
18 Division, and I'm joined by my colleagues, Arshia  
19 Najafi, a trial attorney with the Division, and Seumas  
20 Macneil, also who is a paralegal with the Division.  
21 Additional personnel may join the deposition later.

22 MS. ELMER: I'm Julie Elmer with  
23 Freshfields. I'm here for Google and the witness. With  
24 me today is Mara Boundy and Alex Bergersen, in-house  
25 counsel at Google; Daniel Bitton from the Axinn law

1 counsel with respect to Project Sunday?

2 A. No, I did not.

3 Q. How many Alphabet employee hours have been  
4 spent on Project Sunday?

5 A. That's impossible to answer because we don't  
6 track time internally.

7 Q. Did you do anything to attempt to form a  
8 reasonable estimate of the amount of Alphabet employee  
9 hours that have been spent on Project Sunday?

10 A. That I could, you know, answer with full  
11 surety, no.

12 Q. My question is about a reasonable estimate.  
13 Did you do any work to attempt to form a reasonable  
14 estimate with respect to the number of Alphabet employee  
15 hours spent on Project Sunday?

16 A. So I could give a ballpark estimate, but that's  
17 about as good as we could do. If you find that  
18 informative, great; but it would be with the caveat that  
19 it is impossible to know the amount of time individuals  
20 spend on a specific project that's not part of a  
21 meeting.

22 Q. I appreciate your explanation. What is the  
23 ballpark estimate?

24 A. 30 hours.

25 Q. Okay. And how did you come to make that

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1       A.     So I don't believe there's any dollars that I  
2 would note explicitly here that could be, like, easily  
3 disentangled. This was a smaller project, so I think  
4 the hours would be, you know, a small fraction of those  
5 that I had noted on Project Sunday.

6       Q.     And sitting here today as Alphabet's corporate  
7 designee, what is your reasonable estimate as to the  
8 number of employee hours spent on Project Monday?

9       A.     Ten.

10      Q.     And that is across the company or just for you  
11 personally?

12      A.     Across the company.

13      Q.     And sitting here today as Alphabet's corporate  
14 designee, how much has Alphabet spent on outside counsel  
15 with respect to Project Monday?

16      A.     This is hard to answer. I would say not a lot,  
17 but I don't know how to get into -- like even if I  
18 looked at timelines, I don't think that could be  
19 determined. So a small amount.

20      Q.     Okay. And what, translated into dollars, if  
21 you have any reasonable estimate, does "a small amount"  
22 mean?

23      A.     I don't know.

24      Q.     Okay.

25      A.     Yeah. I don't know.

1 of outside counsel.

2 Q. Okay. I appreciate that. Thank you.

3 What was the cost to Alphabet associated  
4 with Project SingleClick specified in dollars or hours?

5 A. Again, hard to measure internally because we  
6 don't track that. And the outside pieces also are  
7 entangled in a number of other projects. So it's just  
8 very hard to give an estimate.

9 Q. And what other projects are the outside pieces  
10 entangled with?

11 MS. ELMER: And I instruct the witness not  
12 to answer because that invades the attorney/client  
13 privilege and the work product doctrine.

14 Q. (By Mr. Nakamura) Will you follow Ms. Elmer's  
15 instruction?

16 A. Yes.

17 Q. How many employee hours to a reasonable  
18 estimate as Alphabet's corporate designee were spent on  
19 Project SingleClick?

20 A. SingleClick, or are we on Stonehenge?

21 Q. SingleClick.

22 A. 45 hours.

23 Q. And to be clear, that 45-hour estimate is for  
24 all Alphabet employees. Is that correct?

25 A. Yes.



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1 which point we decided to investigate a particular line  
2 of remedies. And that prior project was precipitated by  
3 the seven investigations that were noted on page 2 of  
4 Exhibit 7.

5 Q. Thank you. I appreciate the precision.

6 And did Project Stonehenge evolve into  
7 Project Banksy as listed on the CID specification  
8 schedule?

9 A. No.

10 Q. Okay. When did Project Stonehenge end?

11 A. June 2020.

12 Q. Was there any event or occurrence that marked  
13 the end of Project Stonehenge in Alphabet's view?

14 A. This was more of a completion of analysis to  
15 our satisfaction.

16 Q. Okay. How many meetings in total occurred at  
17 Alphabet for Project Stonehenge?

18 A. I'd say on the order of 25.

19 Q. And of those 25 meetings, how many were  
20 attended by Alphabet's attorneys?

21 A. The majority, large majority.

22 Q. How many Alphabet employee hours have been  
23 spent on Project Stonehenge?

24 A. About 50.

25 Q. And how much did Alphabet spend on outside

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5 REPORTER'S CERTIFICATE

6 ORAL DEPOSITION OF [REDACTED]

7 February 28, 2022  
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9 I, Melinda Barre, Certified Shorthand Reporter in  
10 and for the State of Texas, hereby certify to the  
11 following:

12 That the witness, [REDACTED], was duly sworn by  
13 the officer and that the transcript of the oral  
14 deposition is a true record of the testimony given by  
15 the witness;

16 That the original deposition was delivered to  
17 Brent Nakamura.

18 That a copy of this certificate was served on all  
19 parties and/or the witness shown herein  
20 on \_\_\_\_\_.

21 I further certify that pursuant to FRCP Rule  
22 30(f)(1), that the signature of the deponent:

23 \_\_\_\_\_ was requested by the deponent or a party before  
24 the completion of the deposition and that the signature is  
25 to be before any notary public and returned within 30 days

1 from date of receipt of the transcript. If returned,  
2 the attached Changes and Signature Page contains any  
3 changes and the reasons therefor:

4 \_\_\_\_\_ was not requested by the deponent or a  
5 party before the completion of the deposition.

6 I further certify that I am neither counsel for,  
7 related to, nor employed by any of the parties or  
8 attorneys in the action in which this proceeding was  
9 taken, and further that I am not financially or  
10 otherwise interested in the outcome of the action.

11 Certified to by me on this, the \_\_\_\_\_ day  
12 of \_\_\_\_\_, 2022.

13  
14  
15  


16 Melinda Barre  
17 Texas CSR 2192  
Expiration: 12/31/23  
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